

SENATE BILL No. 529

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Commission on abused children and their families. Establishes a 19 member commission on abused children and their families. Provides that the commission's purpose is to develop and present an implementation plan for a continuum of services to abused and neglected children and their families. Prescribes various responsibilities to the commission, including: (1) examining the family services provided to abused and neglected children and their families; (2) reviewing certain funding sources allocated for the protective services needs of children and their families; (3) reviewing workload standards concerning child protective services; (4) examining the qualifications and training of public service providers; (5) suggesting
(Continued next page)

Effective: Upon passage; July 1, 1999.

Miller

January 19, 1999, read first time and referred to Committee on Rules and Legislative Procedure.



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Digest Continued

policy, program, and legislative changes relating to family services for abused and neglected children; and (6) evaluating whether law enforcement personnel or social service providers should initially handle child abuse and neglect complaints. Requires the commission to draft a final report. Provides for the distribution of the commission's final report.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 529

A BILL FOR AN ACT concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JULY 1, 1999] (a) As used in this
2 SECTION, "commission" refers to the commission on abused
3 children and their families established by this SECTION.

4 (b) The commission on abused children and their families is
5 established. The commission consists of the following nineteen (19)
6 members:

7 (1) A prosecuting attorney or a deputy prosecuting attorney.

8 (2) An attorney who specializes in juvenile law.

9 (3) A juvenile court judge.

10 (4) A representative from law enforcement.

11 (5) A guardian ad litem or court appointed special advocate.

12 (6) A child protection services caseworker.

13 (7) A school guidance counselor.

14 (8) A parent who has had a child removed from the home.

15 (9) Four (4) members of the general assembly. The
16 appointments under this subsection must include two (2)



members from:

(A) the house of representatives; and

(B) the senate;

with not more than one (1) member from each chamber to be selected from each major political party (as defined in IC 3-5-2-30).

(10) Two (2) faculty members as follows:

(A) One (1) faculty member from an Indiana accredited graduate school of social work.

(B) One (1) faculty member from an Indiana accredited undergraduate school of social work.

(11) A county director to be appointed from the Indiana Association of County Welfare Administrators.

(12) A foster parent who is a member of a foster advocacy organization or association.

(13) An adoptive parent who is a member of an adoptive parent advocacy organization or association.

(14) A not-for-profit family services agency provider.

(15) A psychologist who works with abused and neglected children.

(c) Each member of the commission must have experience or an interest in improving the quality of services provided to abused and neglected children and their families in Indiana.

(d) Except as provided in subsection (e), the governor shall appoint the members under subsection (b).

(e) The speaker of the house of representatives shall appoint the two (2) members from the house of representatives under subsection (b)(9)(A). The president pro tempore of the senate shall appoint the two (2) members from the senate under subsection (b)(9)(B).

(f) The legislative council shall appoint the chairperson of the commission.

(g) The commission shall work under the rules and direction of the legislative council. The legislative services agency shall staff the commission.

(h) The commission shall meet at the call of the chairperson. The commission shall meet as often as necessary to carry out the purpose of this SECTION.

(i) The commission's purpose is to develop and present an implementation plan for a continuum of services to abused and neglected children and their families. The commission's responsibilities include the following:

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1 (1) Review Indiana's family services delivery system
2 regarding children who have been reported as suspected
3 victims of child abuse and neglect under IC 31-33, including
4 the following:

5 (A) Child abuse and neglect investigations, including the
6 recognition of due process requirements in receiving and
7 processing complaints.

8 (B) Intervention to maintain children within the home.

9 (C) Substitute care for children.

10 (D) Adoption.

11 (2) Review the federal, state, and county funds allocated to
12 meet the protective services needs of children and their
13 families.

14 (3) Review current state and national workload standards for
15 the provision of child protective and family services.

16 (4) Examine the qualifications and training of public service
17 providers, including foster care parents, caseworkers,
18 supervisors, and administrators, and make recommendations
19 for a training curriculum and other necessary changes.

20 (5) Recommend ways to better use available funds to address
21 the service needs described in subdivision (1).

22 (6) Provide information concerning unmet needs identified
23 within the family services delivery system and provide
24 recommendations concerning the development of resources to
25 meet the needs.

26 (7) Suggest policy, program, and legislative changes relating
27 to the family services described in subdivision (1) to
28 accomplish the following:

29 (A) Enhance the quality of the services.

30 (B) Identify potential resources to promote change
31 regarding enhancement of the services.

32 (8) Evaluate whether law enforcement personnel rather than
33 social services providers should initially handle child abuse
34 and neglect complaints.

35 (j) In carrying out the commission's responsibilities, the
36 commission shall consider pertinent studies on abused and
37 neglected children and their families, including the sunset
38 evaluation committee's (referred to as the "committee" in this
39 subsection) findings and recommendations as adopted in the
40 following reports:

41 (1) The committee's 1990 report entitled "Children with
42 special needs".

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(2) The committee's 1991 report entitled "Children with special needs and local service delivery".

(3) The committee's 1991 report entitled "Families in poverty and local service delivery".

(k) The commission's responsibilities include developing a report consisting of the commission's recommendations relating to carrying out the commission's purpose and responsibilities. The affirmative votes of a majority of the voting members appointed to the commission are required for the commission to take action on any measure, including final reports.

(l) The commission shall submit the report containing the commission's recommendations to the governor, the legislative council, and the legislative services agency not later than September 30, 1999. The legislative services agency shall make copies of the report available to members of the general assembly and to the public upon request.

(m) Ten (10) members of the commission constitute a quorum.

(n) In the case of a vacancy, a new appointee serves for the remainder of the unexpired term. A vacancy shall be filled from the same group that was represented by an outgoing member.

(o) The expenses of administering the commission shall be paid from funds allocated by the legislative council. Commission members are entitled to per diem and mileage as determined by the legislative council.

(p) This SECTION expires December 1, 1999.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) Appointments and designations required by this act shall be made before April 15, 1999.

(b) This SECTION expires April 15, 1999.

SECTION 3. An emergency is declared for this act.

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